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## INSTRUCTIONS AND GENERAL INFORMATION

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### General Information

- Type or print clearly in black or blue ink (do not use red).
- This form must be notarized according to the laws of the state where signed.
- If the applicant fails to qualify for the license or withdraws the application, there will be a service charge. The service charge is one-fourth of the license fee paid, up to \$100.00.

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### Privacy Notice

All applicants are hereby notified that pursuant to the California Information Practices Act, Civil Code Section 1798.17, the information requested from you by the Department of Alcoholic Beverage Control is needed for the Department to properly accomplish its duties as required by Article XX, Section 22 of the California Constitution and Section 23958 of the Business and Professions Code. The submission of this information is mandatory, and the failure to furnish it may result in the denial of the license application.

Personal and confidential information (Forms ABC-211, Application for Alcoholic Beverage License, and ABC-208-A, Individual Personal Affidavit) will be given to law enforcement agencies such as the local police department and may be made accessible to other governmental agencies as provided for in Sections 1798.24(f) and (o) of the Civil Code. In addition, the financial information you provide may be given to other governmental organizations as provided for in Section 1798.24(p) of the Civil Code.

You are entitled to inspect records maintained by the Department on you containing public and personal information and may do so by contacting the District Administrator or other department personnel at your local ABC office.

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### Instructions

**Item 1 (Applicant's Name)** - List the name of the applicant. This must be the true party in interest. There can be no hidden owners or silent partners. If the applicant is an individual, list first name first, then middle name, then last name. For a general partnership, show the name of each individual partner. For a limited partnership, limited liability company, or a corporation, list the name of the entity.

**Item 2 (License Type)** - Check the box for the type of license(s) desired. There are more than 50 types of ABC licenses; only the most common retail licenses are shown.

**Item 3 (Transaction Type)** - Check the box for the type of transaction:

- **Original** - A new license
- **Person-to-Person Transfer** - A transfer of the license from one person or entity to another.
- **Sec. 24071 Transfer** - A transfer of the license involving a surviving spouse or fiduciary; certain corporate or limited liability company transfers such as self-incorporation, or transfers of less than 50% ownership; or dropping a partner where no new partner is being added.
- **Sec. 24071.1 Transfer** - A 50% or more change in the ownership of a corporation or limited partnership
- **Sec. 24071.2 Transfer** - A 50% or more change in the ownership of a limited liability company.
- **Premises-to-Premises Transfer** - A transfer from one location to another.
- **Exchange** - To exchange a license from a bona fide eating place to a "public premises" (a place where no minors are allowed and no food service is required), or vice versa

**Item 4 (Temporary Permit Requested)** - This applies to person-to-person transfers only. A temporary permit cannot be issued for original licenses or premises-to-premises transfers. Check "yes" to request that a temporary permit be issued to the applicant. A temporary permit is good for 120 days and allows the applicant to sell alcoholic beverages during the transfer waiting period. To qualify for the permit, the premises must have been operating under a license within 30 days of filing the application for a temporary permit. The issuance of a temporary permit is at ABC's discretion and authorized by the seller.

**Item 5 (Premises Address)** - Enter the street address where the license is to be issued. In rural areas without street numbers, show the location as exactly as possible. For example, E/S Hwy. 49, 150' N. of Dry Creek Rd., Auburn. Do not list a post office box number.

**Item 6 (Premises Telephone Number)** - Enter the telephone number for the premises to be licensed. If there is none yet, write "none yet."

**Item 8 (Business Name)** - Enter the fictitious business name you will use. For example, Joe's Bar.

**Item 9 (Business Mailing Address)** - Enter the address where you wish to receive mail. This may be different from the premises address. Whenever possible, the address of the premises should be used as the mailing address.

**Item 10 (Permanent Address)** - Check "yes" if you want the mailing address shown in Item #9 as a permanent mailing address. Check "no" if the mailing address is only temporary.

**Item 11 (ABC License Cost)** - Enter the amount shown in Item #32a.

**Item 12 (Subtotal)** - Enter the amount shown in #32f.

**Item 13 (Felony Conviction)** - Check one of the boxes. The actual punishment imposed is the test of whether an offense is considered a felony or a misdemeanor. If you served your sentence in State prison, the offense is considered a felony. If you served your sentence in county jail, the offense is considered a misdemeanor. If answers are not the same for all applicants, so indicate. For example, "Yes - Joe; no - all others." ABC may grant a license to a convicted felon who is rehabilitated.

**Item 16 (Transferor's Name)** - Enter the name of the person who is transferring a license to you. If it is a general partnership, show the names of the individual partners. For a limited partnership, limited liability company, or a corporation, show the name of the entity.

**Item 17 (License Number)** - List the license to be transferred; for example, 48-12345.

**Item 18 (Transferor's Premises Address)** - Enter the address of the business where the license is now issued.

**Item 19 (Premises Under Construction)** - Check "yes" if the premises is under construction or major remodeling. You must put the ABC license into use within 30 days of issuance. If your premises will not be ready by then, check "yes," for premises under construction or major remodeling. Show the date you believe construction will be finished.

**Item 20 (Franchise)** - Check "yes" if you will operate under a franchise agreement (for example, 7-Eleven Food Store).

**Item 21-23 (Contact Name)** - List the person who ABC may call regarding your application. Also list the person's title and daytime phone number.

#### **Financial Information Section**

ABC conducts a complete financial investigation. This is to ensure the applicant is the true owner and there are no unqualified persons who have a financial interest in the business or license.

**Item 26 (Escrow Company's Name)** - If there is any purchase price or consideration involved with the transfer of a business and/or license, the parties must open an escrow before filing an application with ABC. If there is an escrow, show the name, address and phone number of the person or company holding the escrow.

**Item 32 (Investment Information)** - Fill in the amount for all items that apply.

**(a) ABC License** - List the amount you paid to the transferor (list fees paid to ABC under Item 32(g)).

**(b) Furniture/Fixtures** - List the amount you paid, or will pay for the furniture and fixtures. This may include tables, chairs, shelving, cooking equipment, etc.

**(c) Inventory** - List the amount you paid or will pay for the goods, property, or stock on hand.

**(d) Goodwill/Non-Compete Covenant** - List the dollar amount you paid or will pay.

**(e) Leasehold Improvements** - List the dollar amount you paid or will pay for this.

**(f) Subtotal** - Enter subtotal here. This amount will usually equal the amount shown on the Recorded Notice.

**(g) Fees for Other Licenses, etc.** - Include approximate amount that you have spent, or will spend, for Federal, State, County, or City license fees or permits, ABC license fees, and lease and utility deposits.

**(h) Working Capital** - List the approximate dollar amount of your working capital.

**(i) Realty or Interest** - List the amount you paid or will pay for the real property or any interest.

**Item 33 (Investment Details)** - Show what part of your total investment is cash. **Loans and lines of credit are considered "cash."** Please fully explain the source of the cash. Also show what part of your total investment not be cash. Include promissory notes, mortgages, etc. Show amount owed, payee, and terms.

**Item 34 (Bank Accounts)** - List all bank accounts that you will use for this business operation.

**Item 35 (Signature)** - One signature for the applicant will suffice. **The signature must be witnessed by an ABC employee or Notary Public.**